

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 05-4033

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RICHARD HOLSWORTH; ELIZABETH HOLSWORTH

v.

PHILIP J. BERG; CARPENTERS HEALTH AND WELFARE FUND OF  
PHILADELPHIA AND VICINITY; CARPENTERS PENSION AND  
ANNUITY FUND OF PHILADELPHIA AND VICINITY; CARPENTERS  
SAVINGS FUND OF PHILADELPHIA AND VICINITY;  
CARPENTERS  
JOINT APPRENTICE COMMITTEE; NATIONAL APPRENTICESHIP AND  
HEALTH AND SAFETY FUND; METROPOLITAN REGIONAL COUNSEL  
OF CARPENTERS, EASTERN FUND; UNITED BROTHERHOOD OF  
CARPENTERS; CARPENTERS POLITICAL ACTION COMMITTEE OF  
PHILADELPHIA AND VICINITY

Philip J. Berg,

Appellant

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On Appeal from the United States District Court  
for the Eastern District of Pennsylvania  
District Court No. 05-CV-01116  
District Judge: The Honorable J. Curtis Joyner

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Submitted Pursuant to Third Circuit L.A.R. 34.1(a)  
April 17, 2009

Before: McKEE, SMITH, and VAN ANTWERPEN, *Circuit Judges*

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JUDGMENT

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\_\_\_\_\_This cause came on to be heard on the record from the United States District Court for the Eastern District of Pennsylvania and was submitted on April 17, 2009. On consideration thereof, it is now ORDERED and ADJUDGED that the judgment of the District Court entered on July 29, 2005, be and the same hereby is AFFIRMED. All of the above in accordance with the opinion of this Court. Costs taxed against the appellant.

ATTEST:

/s/Marcia M. Waldron  
Clerk

Dated: April 17, 2009

Costs taxed hereto in favor of Appellee, as follows:

Brief.....	\$30.03
Postage.....	<u>\$12.50</u>
Total.....	\$42.53



Teste: *Marcia M. Waldron*  
Clerk, U.S. Court of Appeals for the Third Circuit